IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 6992 of 2005**

Between:

M. Rajendar @ M. Rajendar Reddy, S/oM. Ramaiah @ Ram Reddy,
R/o 1-7-13/4, N.S.P.T. Road, Mahabubabad, Warangal District.

**..... PETITIONER**

AND

1. The Chief General Manager (HRD), A.P. Northern Power Distribution Company Ltd, Corporate Office, Warangal.
2. A.P. Northern Power Distribution Company Ltd, rep. by its Chairman/Managing Director, Warangal.
3. The Chairman and Managing Director, Northern Power Distribution Company Ltd, Warangal.
4. The Superintending Engineer, (Operations), A.P. Northern Power Distribution Company Ltd, Khammam.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or direction particularly one in the nature of Writ of Mandamus setting aside Letter No. CGM(HRD)GM(S) /AS-II/PO-IV/557/04, dt. 8-1-2005 on the file of the 1st Respondent by declaring the same as illegal and contrary to the orders in W.P.No.10921 of 2003 dt. 26-11-2004 and consequently direct the Respondents to appoint the Petitioner herein to the post of LDC in pursuance of notification dt. 28-4-2001 on the file of the 4$^{th}$ Respondent.

**Counsel for the Petitioner:MR.P.PANKAJ REDDY**

**Counsel for the Respondent Nos.1 to 4: MR.SAMINENI KISHORE, S.C. FOR A.P. TRANSCO**

**The Court made the following :**

**O R D E R:**

1) This writ petition is filed by the petitioner aggrieved by the impugned order dated

08.01.2005 passed by 1st respondent in rejecting the case of the petitioner observing that from the certificate submitted by the petitioner which was issued by one K.K.Rao shows that there was no reference to the agreements executed in the year 1997 and hence, it is concluded that the petitioner was not on the rolls as on 18.05.1997. This observation was made by 1st respondent while passing the impugned order without applying his mind either to the facts of the case or to the directions issued by this Court in W.P.NO.10921 of 2003, dated 26.11.2004. When the petitioner's case was rejected on an earlier occasion on the ground that there was some discrepancy with reference to two certificates produced by him showing that he had worked under two contractors for two different periods, this Court disposed of the said writ petition directing the petitioner to make a representation to the respondents and the respondents to consider the representation and pass appropriate orders as per the guidelines framed in B.P.Ms.No.36, dated 18.05.1997. The 1st respondent instead of considering the said representation of the petitioner, dated 16.12.2004 passed orders only making reference to one of the certificate submitted by the petitioner which was issued by the Contractor one K.K.Rao. The said order clearly shows that 1st respondent has not applied his mind either to the facts of the case or to the directions issued by this Court.

2) Under the above circumstances, the impugned order, dated 08.01.2005 is set aside. 1st respondent is directed to apply his mind to the facts of the case and also the directions of this Court issued in W.P.No.10921 of 2003, dated 26.11.2004 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

3) Writ petition is accordingly allowed. No costs.

S.ANANDA REDDY J.,

Dt.04.07.2005

tjs

To

1. The Chief General Manager (HRD), A.P. Northern Power Distribution Company Ltd, Corporate Office, Warangal.

2. Northern Power Distribution Company Ltd, rep. by its Chairman/Managing Director, Warangal.

3. The Chairman and Managing Director, Northern Power Distribution Company Ltd, Warangal.

4. The Superintending Engineer, (Operations), A.P. Northern Power Distribution Company Ltd, Khammam.

5) 2 CD copies

6) 1 CC to MR.PANKAJ REDDY